

10/675,415

Dep: Ref PCT

DT20 Rec'd PCT/PTO | 8 DEC 2003

357 Applications



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of:

SYMPHONY MEDIA SYSTEMS, LLC

Serial No: PCT/US03/30908

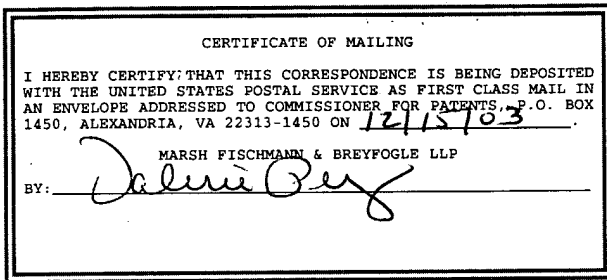
Filing Date: 1 October 2003

Priority Date: 2 October 2002

Atty File No.: 50055-00031

For: "VIDEO DISTRIBUTION SYSTEM FOR  
DIGITAL AND ANALOG  
SUBSCRIBERS"

REQUEST FOR REFUND  
UNDER 37 C.F.R. §1.26



Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In connection with the filing of the above-identified PCT patent application, Applicant hereby requests a refund in the amount of \$250.00. When the application was filed, priority was claimed from two corresponding U.S. patent applications, U.S. Provisional Application Serial No. 60/415,599, filed October 2, 2002, and U.S. Patent Application Serial No. 10/675,415, filed September 30, 2003. It is believed that since the PCT application claims priority from a utility application, the search fee of \$450.00 submitted on October 1, 2003, is correct. Enclosed please find a copy of the PCT Request, Fee Calculation Sheet and Deposit Account Statement dated October 31, 2003.

It is, therefore, respectfully requested that the additional \$250.00 for the search fee be credited to Deposit Account No. 50-1419 on behalf of the assignee.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: Robert B. Berube  
Robert B. Berube, Esq.  
Registration No. 39,608  
3151 South Vaughn Way, Suite 411  
Aurora, Colorado 80014  
(303) 338-0997

Date: Dec. 15, 2003

## PCT REQUEST

Original (for SUBMISSION) - printed on 01.10.2003 02:15:58 PM

50055-00031

0	For receiving Office use only	
0-1	International Application No.	
0-2	International Filing Date	
0-3	Name of receiving Office and "PCT International Application"	
0-4	Form - PCT/RO/101 PCT Request	
0-4-1	Prepared using	PCT-EASY Version 2.92 (updated 01.07.2003)
0-5	Petition The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty	
0-6	Receiving Office (specified by the applicant)	United States Patent and Trademark Office (USPTO) (RO/US)
0-7	Applicant's or agent's file reference	50055-00031
I	Title of invention	VIDEO DISTRIBUTION SYSTEM FOR DIGITAL AND ANALOG SUBSCRIBERS
II	Applicant	
II-1	This person is:	applicant only
II-2	Applicant for	all designated States
II-4	Name	SYMPHONY MEDIA SYSTEMS, LLC
II-5	Address:	9033 East Easter Place, #205 Centennial, CO 80112 United States of America
II-6	State of nationality	US
II-7	State of residence	US
II-8	Telephone No.	(303) 261-1014
II-9	Facsimile No.	(303) 261-1015
III-1	Applicant and/or inventor	
III-1-1	This person is:	inventor only
III-1-4	Name (LAST, First)	BASAWAPATNA, Ganesh
III-1-5	Address:	5157 South Boston Street Greenwood Village, CO 80011 United States of America
III-2	Applicant and/or inventor	
III-2-1	This person is:	inventor only
III-2-4	Name (LAST, First)	BASAWAPATNA, Varalakshmi
III-2-5	Address:	5157 South Boston Street Greenwood Village, CO 80011 United States of America

## PCT REQUEST

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50055-00031

IV-1	Agent or common representative; or address for correspondence The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	agent
IV-1-1	Name	MARSH FISCHMANN & BREYFOGLE LLP
IV-1-2	Address:	BERUBE, Robert B. 3151 South Vaughn Way Suite 411 Aurora, CO 80014 United States of America
IV-1-3	Telephone No.	303-338-0997
IV-1-4	Facsimile No.	303-338-1514
IV-1-5	Agent's registration No.	39,608
V	Designation of States	
V-1	Regional Patent (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)	<p>AP: GH GM KE LS MW MZ SD SL SZ TZ UG ZM ZW and any other State which is a Contracting State of the Harare Protocol and of the PCT</p> <p>EA: AM AZ BY KG KZ MD RU TJ TM and any other State which is a Contracting State of the Eurasian Patent Convention and of the PCT</p> <p>EP: AT BE BG CH&amp;LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT RO SE SI SK TR and any other State which is a Contracting State of the European Patent Convention and of the PCT</p> <p>OA: BF BJ CF CG CI CM GA GN GQ GW ML MR NE SN TD TG and any other State which is a member State of OAPI and a Contracting State of the PCT</p>
V-2	National Patent (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)	<p>AE AG AL AM AT AU AZ BA BB BG BR BY BZ CA CH&amp;LI CN CO CR CU CZ DE DK DM DZ EC EE EG ES FI GB GD GE GH GM HR HU ID IL IN IS JP KE KG KP KR KZ LC LK LR LS LT LU LV MA MD MG MK MN MW MX MZ NI NO NZ OM PG PH PL PT RO RU SC SD SE SG SK SL SY TJ TM TN TR TT TZ UA UG UZ VC VN YU ZA ZM ZW</p>

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V-5	<b>Precautionary Designation Statement</b> In addition to the designations made under items V-1, V-2 and V-3, the applicant also makes under Rule 4.9(b) all designations which would be permitted under the PCT except any designation(s) of the State(s) indicated under item V-6 below. The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that time limit.	
V-6	<b>Exclusion(s) from precautionary designations</b>	NONE
VI-1	<b>Priority claim of earlier national application</b>	
VI-1-1	Filing date	02 October 2002 (02.10.2002)
VI-1-2	Number	60/415,599
VI-1-3	Country	US
VI-2	<b>Priority claim of earlier national application</b>	
VI-2-1	Filing date	30 September 2003 (30.09.2003)
VI-2-2	Number	
VI-2-3	Country	US
VI-3	<b>Priority document request</b> The receiving Office is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) identified above as item(s):	VI-1, VI-2
VII-1	<b>International Searching Authority Chosen</b>	United States Patent and Trademark Office (USPTO) (ISA/US)
VIII	<b>Declarations</b>	Number of declarations
VIII-1	Declaration as to the identity of the inventor	-
VIII-2	Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent	-
VIII-3	Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application	-
VIII-4	Declaration of inventorship (only for the purposes of the designation of the United States of America)	-
VIII-5	Declaration as to non-prejudicial disclosures or exceptions to lack of novelty	-

## PCT REQUEST

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50055-00031

IX	Check list	number of sheets	electronic file(s) attached
IX-1	Request (including declaration sheets)	4	-
IX-2	Description	34	-
IX-3	Claims	6	-
IX-4	Abstract	1	EZABST00.TXT
IX-5	Drawings	6	-
IX-7	TOTAL	51	
	Accompanying items	paper document(s) attached	electronic file(s) attached
IX-8	Fee calculation sheet	✓	-
IX-9	Original separate power of attorney	✓	-
IX-17	PCT-EASY diskette	-	Diskette
IX-18	Other (specified):	Return Postcard	-
IX-18	Other (specified):	Check for payment of fees	-
IX-19	Figure of the drawings which should accompany the abstract	2	
IX-20	Language of filing of the international application	English	
X-1	Signature of applicant, agent or common representative		
X-1-1	Name	MARSH FISCHMANN & BREYFOGLE LLP	
X-1-2	Name of signatory	Robert B. Berube	
X-1-3	Capacity	Attorney	

## FOR RECEIVING OFFICE USE ONLY

10-1	Date of actual receipt of the purported international application	
10-2	Drawings:	
10-2-1	Received	
10-2-2	Not received	
10-3	Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application	
10-4	Date of timely receipt of the required corrections under PCT Article 11(2)	
10-5	International Searching Authority	ISA/US
10-6	Transmittal of search copy delayed until search fee is paid	

## FOR INTERNATIONAL BUREAU USE ONLY

11-1	Date of receipt of the record copy by the International Bureau	
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**PCT (ANNEX - FEE CALCULATION SHEET)**

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50055-00031

(This sheet is not part of and does not count as a sheet of the international application)

0	For receiving Office use only	
0-1	International Application No.	
0-2	Date stamp of the receiving Office	
0-4	Form - PCT/RO/101 (Annex) PCT Fee Calculation Sheet	
0-4-1	Prepared using	PCT-EASY Version 2.92 (updated 01.07.2003)
0-9	Applicant's or agent's file reference	50055-00031
2	Applicant	SYMPHONY MEDIA SYSTEMS, LLC
12	Calculation of prescribed fees	fee amount/multiplier      Total amounts (USD)
12-1	Transmittal fee T	⇒ 240
12-2-1	Search fee S	⇒ 450
12-2-2	International search to be carried out by	US
12-3	International fee	
	Basic fee (first 30 sheets) b1	476
12-4	Remaining sheets	21
12-5	Additional amount (X)	12
12-6	Total additional amount b2	252
12-7	b1 + b2 = B	728
12-8	Designation fees	
	Number of designations contained in international application	97
12-9	Number of designation fees payable (maximum 5)	5
12-10	Amount of designation fee (X)	104
12-11	Total designation fees D	520
12-12	PCT-EASY fee reduction R	-148
12-13	Total International fee (B+D-R) I	⇒ 1,100
12-14	Fee for priority document	
	Number of priority documents requested	2
12-15	Fee per document (X)	20
12-16	Total priority document fee P	⇒ 40
12-17	TOTAL FEES PAYABLE (T+S+I+P)	⇒ 1,830
12-19	Mode of payment	cheque
12-20	Deposit account instructions	
	The receiving Office:	United States Patent and Trademark Office (USPTO) (RO/US)
12-20-2	Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.	✓
12-20-3	Authorization to charge the fee for priority document.	✓

## PCT (ANNEX - FEE CALCULATION SHEET)

50055-00031

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12-21	Deposit account No.	50-1419
12-22	Date	01 October 2003 (01.10.2003)
12-23	Name and signature	Robert B. Berube <i>Robert B. Berube</i>

## VALIDATION LOG AND REMARKS

13-2-2	Validation messages States	Green? More designations could be made. The following States have not been designated: US. Please verify.
13-2-4	Validation messages Priority	Yellow Priority 2: Application No. is missing
13-2-7	Validation messages Contents	Green? The abstract appears to be more than 150 words, applicant is reminded that it should be as concise as the disclosure permits (preferably 50 to 150 words if it is in English or when translated into English)



PCT Application No. Not Yet Assigned

Int'l Filing Date: 1 October 2003

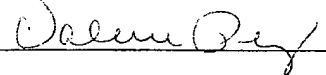
Attorney Reference No.: 50055-00031

Documents Submitted: PCT Request; Fee Calculation Sheet; Description, Claims and  
Abstract; Certificate of Mailing by Express Mail; Formal  
Drawings (Figs. 1-6); Executed Power of Attorney;  
PCT-EASY Diskette; Check for \$1830.00

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MARSH FISCHMANN &amp; BREYFOGLE LLP 04-00

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**MONTHLY STATEMENT  
OF DEPOSIT ACCOUNT**

MARSH FISCHMANN & BREYFOGLE LLP

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THOMAS R MARSH  
3151 SOUTH VAUGHN WAY  
SUITE 411  
AURORA CO 80014

FINA

Account No.	501419
Date	10-31-03
Page	1

**PLEASE SEND REMITTANCES TO:**  
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Chicago, IL 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
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10	1	03	1032	76258598	41908-01100	7003	100.00	4457.00
10	2	03	345	PCT/US03/29851	50055-00028	1707	210.00	4247.00
10	2	03	347	PCT/US03/29851	50055-00028	8007	40.00	4207.00
10	7	03	184	10099720		9204	-10.00	4217.00
10	7	03	296	78309984	44500-00347	7001	335.00	3882.00
10	7	03	315	78310001	44500-00348	7001	335.00	3547.00
10	7	03	321	78310006	44500-00349	7001	335.00	3212.00
10	10	03	107	PCT/US03/30908	50055-00031	1602	250.00	2962.00
10	14	03	168	10042672	1836 (42059-0	1504	30.00	2932.00
10	15	03	1	09821610	41992-00450	1251	110.00	2822.00
10	22	03	66	10417417	41890-01637	1252	24.00	2798.00
10	22	03	1008	78100528	41992-00577	7004	150.00	2648.00
10	27	03	114	09818040	1706 (4205901	1501	30.00	2618.00
10	28	03	113	09556958	PM 242607	8001	30.00	2588.00
10	30	03	3	29165357		1806	180.00	2408.00
10	31	03	24	E-REPLENISHMENT		9203	-4000.00	6408.00
10	31	03	351	78321116	41992-00671	7001	335.00	6073.00
10	31	03	355	78321120	41992-00672	7001	335.00	5738.00
10	31	03	361	78321126	41992-00673	7001	335.00	5403.00
10	31	03	368	78321130	41992-00674	7001	335.00	5068.00

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